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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence during pendency of filed application)</i>	Patent No.	6,111,738	
	Issue Date:	August 29, 2000	
	Application No.:	09/083,769	
	Filing Date:	May 22, 1998	
	First Name Inventor	Gerard McGoogan	
	Examiner Name	Ronald W. Leja	
	Art Unit	2836	
Total Number of Pages in This Submission	6	Attorney Docket No.	19900-03454

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Itemized Deficiency Statement for Delayed Notification of Loss of Small Entity Status <input type="checkbox"/> Assignment & Recordation Cover Sheet <input type="checkbox"/> Declaration <input type="checkbox"/> Power of Attorney <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Request for Correction of Recorded Assignment <input type="checkbox"/> Amendment/Response: [ ] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT		
Signature:		
Attorney/Reg. No.:	Greg T. Sueoka, Reg. No.: 33,800	Dated: 4/27/05

CERTIFICATE OF MAILING		
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**PATENT PETITION**

**IN THE UNITED STATES**

**PATENT AND TRADEMARK OFFICE**

APPLICANTS: GERARD MCGOOGAN  
PATENT NO.: 6,111,738  
ISSUE DATE : August 29, 2000  
APPLICATION NO.: 09/083,769  
FILING DATE: May 22, 1998  
TITLE: INTRINSICALLY SAFE CIRCUITS  
ATTY. DKT. NO.: 19900-03454

**CERTIFICATE OF MAILING**

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Dated: 4/27/05

By: Greg T. Sueoka  
Greg T. Sueoka, Reg. No.: 33,800

Mail Stop PETITION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ITEMIZED DEFICIENCY STATEMENT FOR DELAYED NOTIFICATION OF LOSS  
OF SMALL ENTITY STATUS, PURSUANT TO 37 CFR § 1.28(c) and (d).**

SIR:

For the above-referenced patent, status as a small entity having been established in good faith, and fees as a small entity having been paid in good faith, the Office was not notified of a loss of entitlement to small entity status at the time of paying the first maintenance fee, as required by 37 CFR § 1.27(g)(2). To have this error excused pursuant to 37 CFR § 1.28(c) and (d), Applicants hereby file an Itemization of the Deficiency Payment along with a Payment of the Deficiency Owed.

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## I. ITEMIZATION OF THE DEFICIENCY PAYMENT

Following is a list of each particular type of fee that was erroneously paid as a small entity, the current fee amount for a non-small entity, the small entity fee actually paid, and the date of payment:

1. First maintenance fee was paid on 08/03/2004. Although the amount of \$910.00 was tendered based on large entity status, the USPTO issued a refund for part of the fee because the USPTO had not been notified of the loss of entitlement to small entity status. Therefore, the first maintenance fee actually paid was in the amount of \$455.00. Under 37 CFR § 1.20(e), the current fee amount for first maintenance fee for a non-small entity is \$900. Under 37 CFR § 1.28(c)(2)(i), the deficiency amount owed based on this transaction is equal to the amount (previously) paid in error, i.e. \$455.00.
2. Surcharge for late payment of first maintenance fee within 6 months was paid on 08/03/2004. Although the amount of \$130.00 was tendered based on large entity status, the USPTO issued a refund for part of the fee because the USPTO had not been notified of the loss of entitlement to small entity status. Therefore, the small entity surcharge actually paid was in the amount of \$65. Under 37 CFR § 1.20(h), the current fee amount for surcharge for late payment of first maintenance first maintenance fee for a non-small entity is \$130. The deficiency amount owed based on this transaction is \$65.00.
3. The total deficient payment owed is \$520.00.

## II. PAYMENT OF THE TOTAL DEFICIENCY PAYMENT OWED

Enclosed herewith is a payment in the amount of \$520.00 for the total deficiency payment owed. The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2555. **A duplicate copy of this authorization is enclosed.**

## III. CONCLUSION

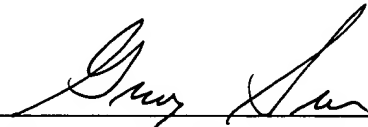
As stated above, the Office was not notified of a loss of entitlement to small entity status at the time of paying the maintenance fee, as required by 37 CFR § 1.27(g)(2). By filing this statement, Applicants have complied with the requirements for having this error excused pursuant to 37 CFR § 1.28(c).

**PATENT PETITION**

Pursuant to 37 CFR § 1.28(d), the present deficiency payment submitted under 37 CFR 1.28(c) is treated as a notification of a loss of entitlement to a small entity status. Specifically, the entitlement to small entity status was lost on June 30, 2000. Accordingly, Applicants respectfully urge the Office to accept the present notification of change in entity status.

Respectfully submitted,  
GERARD MCGOOGAN

Dated: 4/27/05

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